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U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/674109	DIU HERCEND ROOM	A 146 1353
INTERNATIONAL APPLICATION NO.		
PCT/EP99/02722		
I.A. FILING DATE		PRIORITY DATE
22 APR 99		24 APR 98

BIERMAN MUSERLIAN AND LUCAS
600 THIRD AVENUE
NEW YORK, NY 10016

DATE MAILED 26 APR 2001

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- ☐ The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- ☐ This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- ☐ A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- ☐ A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ Other: _____

APPLICANT MUST PROVIDE:

- ☐ An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- ☒ An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☐ A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE
CALL:

(703) 308-4216, for Rules interpretation,
(703) 308-4212, for CRF submission help,
(703) 287-0200, for PatentIn software help.

Phyllis M. Lawrence
Telephone: 703-305-6114



PAT U S 301

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I.A. FILING DATE

22 APR 99

PRIORITY DATE

24 APR 98

BIERMAN, MUSERLIAN AND LUCAS

DATE MAILED:

26 APR 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☐ an Elected Office (37 CFR 1.495):
- ☐ U.S. Basic National Fee.
 - ☐ Copy of the international application.
 - ☐ Oath or Declaration of inventors(s).
 - ☐ Copy of Article 19 amendments.
 - ☐ Priority Document.
 - ☐ The International Preliminary Examination Report in English and its Annexes, if any.
 - ☐ Translation of Annexes to the International Preliminary Examination Report into English.
 - ☐ Indication of Small Entity Status.
 - ☐ Translation of the international application into English.
 - ☐ Translation of Article 19 amendments into English.
 - ☐ Other:
2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
- ☐ U.S. Basic National Fee.
 - ☐ Copy of the international application.
3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 - ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 - ☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 - ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
4. Additional claim fees of \$_____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875 ☒ PCT/DO/EO/920

Phyllis M. Lawrence

Telephone: 703-305-6114

FORM PCT/DO/EO/905 (March 2001)

June 26, 01
(+1) July 26
(+2) Aug 26
(+3) Sep 26
(+4) Oct 26, 01



85-041-01
JC17 Rec'd PST/PTO

03 MAY 2001

146.1353

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :
ANITA DIU-HERCEND et al :
Serial No. 674,109 :
Filed: October 24, 2000 :
For: METHOD...FROM S. CEREVISIAE :

600 Third Avenue
New York N.Y. 10016
May 3, 2001

RESPONSE TO NOTIFICATION OF MISSING PARTS

Asst. Commissioner for Patents
Washington, D.C. 20231

Sir:

Responsive to the notification of missing parts dated April 26, 2001 for the above application, it should be noted that the paper copy of the sequence listing was filed with the application as can be seen from the copy of the return receipt card filed herewith. The computer readable disk was filed on November 22, 2000 as can be seen from the copy of return receipt card filed herewith. Therefore, the filing of the application is complete and Applicants are returning herewith a copy of the notice. It is therefor requested that the application be forwarded to the group for examination in due course.

Respectfully submitted,
Bierman, Muserlian and Lucas)

By:

Charles A. Muserlian
Charles A. Muserlian #19,683
Attorney for Applicants
Tel.# (212) 661-8000

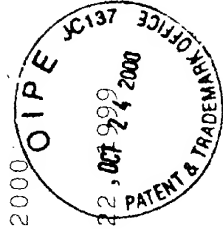
CAM:ds
Enclosures

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MAY 3 2001
EL 7177391
10200 MAIL ROOM
MAY 31 2001
10200 MAIL ROOM
MAY 3 2001
D. Malconice



146.1353

CAM:sd October 24, 2000



In re Application of:

PCT/EP99/02722

PCT Date: April 22, 2000

Serial No.: 09/674109

Filed: Concurrently Herewith

For: METHOD...FROM S. CEREVISIAE

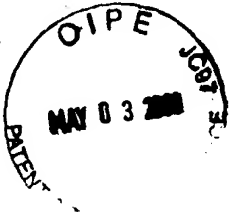
Received: PCT Transmittal Forms in duplicate; Copy of International Appln. in English; Unexecuted PCT Declaration; Preliminary Amendment; Amended Sheets 1, 2 and 3; International Preliminary Examination Report; Paper Copy of Sequence Listing; PCT/RO/101 PTO Form 2038; Certificate of Express Mail

414 Rec'd PCT/PTO 24 OCT 2000

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MAY 31 2001

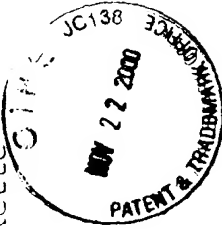
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146.1353 November 22, 2000 CAM:ds

In re Application of: ANITA DIU-HERCEND et al
Serial No. : 674,109
Filed: Oct. 24, 2000
For: METHOD...FROM S. CEREVISIAE ✓

Received: Letter (1 page)
Sequence Listing diskette



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